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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WELLBORN FREEMAN,

Plaintiff,

v.

UNITED STATES

Defendants.

CASE NO. 13-02421 VC (*FREEMAN I*)
14-04493 VC (*FREEMAN II*)

JOINT STIPULATION AND [~~PROPOSED~~] ORDER
CONTINUING SETTLEMENT CONFERENCE
(AS MODIFIED)

STIPULATION

Subject to the approval of the Court, Plaintiff Welborn Freeman ("Plaintiff") and Federal Defendant United States of America, by and through their counsel of record, hereby stipulate and agree as follows:

1. On October 14, 2014, the Court appointed Daniel Weingarten as volunteer counsel for Plaintiff for the limited purpose of representing him in discovery leading up to and including a Settlement Conference. *Freeman I*, Dkt. No. 93.

2. On October 14, 2014, the Court ordered the parties to attend a Settlement Conference in Case No. 13-02421 VC (*Freeman I*). *Freeman I*, Dkt. No. 106.

3. On October 23, 2014, the Court related *Freeman I* and Case No. 14-04493 (*Freeman II*). *Freeman I*, Dkt. No. 107.

4. On October 27, 2014, the Court ordered the parties to attend a Settlement Conference in *Freeman II*. *Freeman II*, Dkt. No. 10.

5. This matter was referred to Judge Ryu. Judge Ryu set a Settlement Conference for January 5, 2015. *Freeman I*, Dkt. No. 110, *Freeman II*, Dkt. No. 11.

6. On November 18, 2014, pursuant to the agreement between counsel for the United States and Mr. Weingarten, the Court ordered that Plaintiff would be allowed to depose four doctors prior to the Settlement Conference and that the United States would be allowed to depose Plaintiff. Since then, Mr. Weingarten has completed the agreed upon depositions and Plaintiff's deposition is scheduled for January 2, 2015. Counsel for the United States and Mr. Weingarten have also completed the meet and confer required by Judge Ryu's Settlement Conference Orders.

7. To allow time for discussion regarding the merits of this action following Plaintiff's deposition in an effort to determine if there is potential for resolving this matter, the parties hereby respectfully request that the Settlement Conference be continued until January 26, 2015 at 10:00 a.m., or as soon thereafter as is convenient for the Court. The parties further respectfully request that the deadlines set in in Judge Ryu's Settlement Conference Orders also be continued accordingly.

IT IS SO STIPULATED.

1 Dated: December 19, 2014

Respectfully Submitted,

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3 MELINDA HAAG
United States Attorney

4 /s/ Rebecca A. Falk
5 REBECCA A. FALK
Assistant United States Attorney

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7 Dated: December 19, 2014

Respectfully Submitted,

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9 Daniel Weingarten
DANIEL WEINGARTEN
Counsel for Plaintiff

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14 **[PROPOSED] ORDER (AS MODIFIED)**

15 Pursuant to the stipulation by the parties, and good cause having been shown, it is hereby ordered
16 that the Settlement Conference scheduled for January 5, 2015 will be continued until January 26, 2015
17 at 10:00 a.m.
18 ~~or as soon thereafter as is convenient for the Court.~~ It is further ordered that the deadlines for exchange
19 of Settlement Conference Statements and submission of a confidential letter to the Court in advance of
20 the Settlement Conference be continued to January 16, 2015. Parties shall comply with the requirements
21 and procedures set forth in this Court's Notice of Settlement Conference and Settlement Conference Order
dated October 29, 2014, Docket No. 11.

IT IS SO ORDERED.

22 DATED: 12/23/2014

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HONORABLE DOMINA RYU
UNITED STATES MAGISTRATE JUDGE